

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

David Johnson

v.

Case No. 12-cv-32-SM

Town of Weare, et al.

ORDER

I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated June 4, 2012, no objection having been filed, for the reasons set forth therein. " '[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

Plaintiff's Fourth Amendment claims against Weare Police Officer Jones and the common law claims for false arrest and assault against Officer Jones, the Weare Police Department and the Town of Weare, New Hampshire, will proceed. All other claims and defendants Don Lyons and Lyons Autobody are hereby dismissed.

SO ORDERED.

June 27, 2012

/s/ Steven J. McAuliffe

Steven J. McAuliffe  
United States District Judge

cc: David Johnson, pro se